

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
MICHELLE C. THOMPSON, )  
Plaintiff, )  
v. ) Docket No. 04-12301-RGS  
BLOCKBUSTER, INC., and )  
JAY WELLS, individually. )  
Defendants. )  
\_\_\_\_\_

**CERTIFICATION OF COMPLIANCE**  
**WITH LOCAL RULE 16.1(D)(3)**

This is to certify that Defendant Blockbuster Inc. and its counsel, Bingham McCutchen LLP have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course -- and various alternative courses -- of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

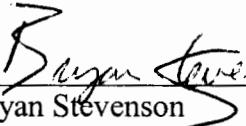
Respectfully submitted,

BINGHAM MCCUTCHEN LLP,

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BLOCKBUSTER INC.,

By:

  
Bryan Stevenson

Corporate Counsel.

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Dallas, Texas 75270

(214) 854-3281

May 16, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served by ~~first class~~<sup>hand</sup> mail on all counsel of record, this 16 day of May, 2005.

  
Jenny K. Cooper